

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEVEN P. MESSNER	:	CIVIL ACTION
	:	
v.	:	NO. 15-5427
	:	
USA TECHNOLOGIES, INC., et al	:	

ORDER

AND NOW, this 13th day of April 2016, upon consideration of Defendants' Motion to Dismiss the Amended Complaint (ECF Doc. No. 20), Plaintiff's Opposition (ECF Doc. No. 21), Defendant's Reply (ECF Doc. No. 24), Plaintiff's Supplemental Authority (ECF Doc. No. 29), following oral argument and for the reasons in the accompanying memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 20) is **GRANTED** as Plaintiff, after two attempts, has not plead scienter necessary under the Private Litigation Securities Reform Act and not shown a basis for granting him another amendment to plead additional facts relating to fraud in reporting bad debt expense meets the pleading requirements for scienter.



KEARNEY, J.